

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

RONALD DRAKE,)	
)	
Petitioner,)	
)	
v.)	CV-09-616-B-W
)	
WARDEN, MAINE STATE PRISON,)	
)	
Respondent.)	

**ORDER AFFIRMING THE RECOMMENDED
DECISION OF THE MAGISTRATE JUDGE**

No objection having been filed to the Magistrate Judge's Recommended Decision filed April 28, 2010, the Recommended Decision is accepted.

Accordingly, it is hereby ORDERED that the Petitioner's 28 U.S.C. § 2254 Petition (Docket # 1) be and hereby is DENIED. It is further ORDERED that no certificate of appealability should issue in the event the Petitioner files a notice of appeal because there is no substantial showing of the denial of a constitutional right within the meaning of 28 U.S.C. § 2253(c)(2).

SO ORDERED.

/s/ John A. Woodcock, Jr.
JOHN A. WOODCOCK, JR.
CHIEF UNITED STATES DISTRICT JUDGE

Dated this 28th day of May, 2010